

McGuireWoods LLP
77 West Wacker Drive
Suite 4400
Chicago, IL 60601-1681
Phone: 312.849.8100
Fax: 312.849.3690
www.mcguirewoods.com

Robert K. Temple
Direct: 312.849.8156

McGUIREWOODS

EPA Region 5 Records Ctr.



264458

rtemple@mcguirewoods.com
Direct Fax: 312.849.8157

August 21, 2003

Thomas J. Krueger, Esq.
Associate Regional Counsel
U. S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd., 13th FL
Chicago, IL 60604

**Re: Suburban Self Storage
2333 Wisconsin Avenue
Downers Grove, IL 60515**

Dear Tom:

Enclosed is the executed copy of the Consent for Access to Property for the above-reference matter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Robert K. Temple

RKT:rw

Enclosure

cc: Mr. Mazin Enwiya (w encl.)
Mr. James Radlein (w/o encl.)

CONSENT FOR ACCESS TO PROPERTY

Downers Grove, Illinois

Name: **Suburban Self Storage**

**Address
of Subject Property:** **2333 Wisconsin Avenue
Downers Grove, IL 60515**

Suburban Self Storage ("Suburban") consents to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA") and the State of Illinois entering and having continued access to the Subject Property for the following purposes:

Preparing for and conducting monitoring and sampling activity;

Preparing for and disposing of hazardous materials identified during sampling activity;

Performing other actions to investigate contamination on the property that U.S. EPA may determine to be necessary; and

Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.

The activities described above shall be collectively referred to herein as the "Work."

Suburban realizes that these actions taken by US. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §9601 et seq.

This written permission is given by Suburban voluntarily, on behalf of Suburban and all owners of this property, with knowledge of the right to refuse and without threats or promises of any kind. Suburban's consent is based on its understanding of the following with respect to the conduct of Work on the Subject Property by representatives performing Work for U.S. EPA or the State of Illinois (collectively, "EPA"):

Consent to Access 2333 Wisconsin Avenue, Downers Grove

Suburban understands that EPA will provide reasonable advance notice before any of the Work is to begin and that EPA recognizes that the Subject Property's owner and operator intend to be present and intend to conduct simultaneous sampling whenever EPA takes samples on the Subject Property. Accordingly, Suburban further understands that U.S. EPA will provide a copy of the scope of Work EPA intends to complete while on the Subject Property; and will coordinate with Suburban to identify the dates and times when Work will occur consistent with that scope of Work. Contacts for providing Suburban with such Notice should be provided to:

**Mr. James Radlein
Suburban Moving & Storage
2100 Ogden Avenue
Lisle, IL 60532
Telephone: (630) 971-6619
Facsimile: (630) 971-6601**

**Mr. Leonard Tromp Jr.
Suburban Moving & Storage
2100 Ogden Avenue
Lisle, IL 60532
Telephone: (630) 971-6640
Facsimile: (630) 971-6601**

**Robert K. Temple, Esq.
McGuireWoods, LLP
77 West Wacker Drive, Suite 4400
Chicago, IL 60601
Telephone: 312.849.8156
Facsimile: 312.849.8157**

**Mr. Ron Schrack
Schrack Environmental Consulting, Inc.
1415 West 22nd Street, The Tower Floor
Oakbrook, IL 60523
Telephone: 630.243.1777
Facsimile: 630.243.1888**

The Subject Property's owner and operator expect that U.S. EPA will comply with all of their reasonable safety requirements while on the Subject Property and will coordinate with them to minimize disruption of operations while the Work occurs.

Consent to Access 2333 Wisconsin Avenue, Downers Grove

Suburban also understands that EPA will handle any waste materials generated during performance of the Work in accordance with all federal, state and local laws and regulations, and EPA will be responsible for the removal of any waste it generates within a reasonable time from such time as it is generated.

Suburban understands that EPA's contractors in charge of the Work are required to maintain Commercial General Liability insurance. Suburban also understands that EPA will request that its contractors provide a copy of Certificates of Insurance, and name Suburban as an additional insured, prior to performing any Work on the Subject Property.

Suburban understands EPA is subject to the Federal Tort Claims act for harm or injury to EPA's representatives or contractors or harm or injury caused by EPA's representatives or contractors while on the Subject Property.

Finally, it is Suburban's understanding that EPA's sampling, conducted as part of the Work, will be exterior sampling only, and that it is EPA's policy is to restore the sampled areas to as near original condition as is practicable. By signing this "Consent for Access to Property," Suburban has not consented to nor authorized EPA to perform sampling on the interior of its structures or to drill through paved surfaces on the Subject Property.

This Consent for Access to Property shall remain in effect so long as EPA is continuously conducting Work as described herein, and as agreed to at the on-set of such Work, consistent with the Subject Property owner's and operator's understanding as set forth in this Consent. The Subject Property's owner and operator expect EPA to seek additional Consent for Access to the Subject Property for work following cessation of the Work described herein or for performance of any activity which is not part of the Work described herein.

Aug 15, 2002
Date

[Signature]
Signature